

UNITED STATES DISTRICT COURT
DISTRICT COURT OF SOUTH CAROLINA
CHARLESTON DIVISION

Denny Densmore,
PLAINTIFF,

v.

NATIONAL BOARD OF
MEDICAL EXAMINERS,
DEFENDANT.

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CAUSE NO. 2:14-CV-02082-MBS

Affidavit of Vincent E. Nowak

My name is Vincent E. Nowak. I am over the age of 18 and otherwise competent to make this affidavit. The facts stated in this affidavit are based on my personal knowledge and are true and correct.

1. I have been a licensed Texas attorney for twenty-four years and have been board-certified by the State Bar of Texas since 2001. (Of the approximately 95,000 members of the State Bar of Texas, only 7225 are board-certified.)

2. I am in good standing with every court in Texas, including the Supreme Court of Texas.

3. I have requested a certificate of good standing from the Supreme Court of Texas, and sent the required fee but have yet to receive it in the mail. The deputy clerk's office of the Supreme Court of Texas processes such request by mail only, as it does not have a system in place to accept payment by computer or phone.

4. I do not know why my request has yet to be processed, but I am now calling daily to check on the status. Additionally, I sent a second request and the required payment by Federal

Express today. I will track the package and follow-up by phone daily until I receive the certificate.

5. Once I receive the certificate, I will Federal Express it to local counsel for filing with the Court.

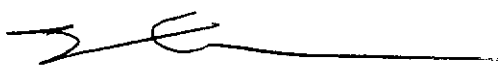
6. The subject matter of the Original Complaint involves application of the Americans with Disabilities Act to the testing requirements and mandates of the National Board of Medical Examiners. I have particular experience in this field having successfully prosecuted several such actions, one through the 6th Circuit Court of Appeals, and having communicated with the Department of Justice giving my input on what resulted in the 2009 amendments of the ADA.

7. I apologize to the Court for the delay in filing my certificate of good standing. My only explanation is that my request to the Supreme Court of Texas was mishandled in the mail, but I make no excuses. To the extent there is blame for this circumstance, it rests with me.

8. I respectfully ask the Court to allow plaintiff until August 8, 2014, to file my certificate of good standing.

FURTHER AFFIANT SAYETH NOT.

July 24, 2014



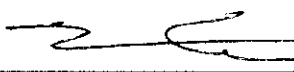
Vincent E. Nowak

VERIFICATION

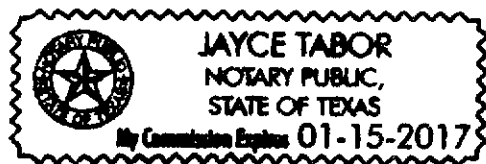
Before me, the undersigned notary, on this day personally appeared Vincent E. Nowak, the affiant, a person whose identity is known to me. After I administered an oath to affiant, affiant testified:


“My name is Vincent E. Nowak. I am capable of making this verification. I have read my foregoing affidavit. The facts stated in it are within my personal knowledge and are true and correct.”

July 24, 2014



Vincent E. Nowak





Notary Public for the State of Texas